



October 8, 2009

VIA US MAIL AND E-MAIL

Gerard J. Thibeault, Executive Officer
Santa Ana Regional Water Quality Control Board
3737 Main Street, Suite 500
Riverside, CA 92501-3348

Re: Comments on Santa Ana Regional Water Quality Control Board Tentative Order No. R8-2009-0033, NPDES No. CAS618033, National Pollutant Discharge Elimination System (NPDES) Permit and Waste Discharge Requirements for the Riverside County Flood Control and Water Conservation District, the County of Riverside, and Incorporated Cities of Riverside County within the Santa Ana Region

Dear Mr. Thibeault:

The City of San Jacinto ("City") submits this letter to the California Regional Water Quality Control Board, Santa Ana Region ("Regional Board") to convey the City's formal written comments on Tentative Order No. R9-2008-0033 ("Draft Permit"). The City is aware that the County of Riverside is submitting a comment letter detailing its concerns with the Draft Permit. The City has reviewed this letter and would like to express its full support for the County's comments. Please consider the County's comments to be incorporated in the City's letter by this reference. The City's comments follow.

COMMENTS

Low Impact Development and Hydromodification

The Draft Permit has a stated preference for LID BMPs that retain and treat stormwater on-site. The City is not opposed to requiring these development techniques where feasible, however, such BMPs will not be feasible for all projects. If adopted in its current form, the Draft Permit may require projects that are incapable of implementing LID BMPs that retain and treat stormwater to pay a mitigation fee in addition to implementing other traditional BMPs.

There is no rational basis for requiring such projects to pay a penalty when they can deploy other traditional BMPs that will treat stormwater to levels that are equivalent or better than the LID and on-site retention BMPs currently espoused by the Draft Permit. Moreover, by requiring one type of BMP over another equally effective BMP, the Draft Permit is dictating the means of compliance with the MEP standard in violation of Water Code section 13360.¹ For that reason, the City requests that the Draft Permit be revised to make clear

¹ The City is aware that these issues, and other concerns regarding the Draft Permit's LID and Hydromodification requirements (including concerns regarding the Regional Board's authority to infringe on the City's land use authority) were raised during the approval process for the North Orange County

that where implementation of LID BMPs is not feasible, mitigation fees and/or other penalties will not be required.

Numeric Effluent Limits

The title of the Draft Permit's TMDL section is "Water Quality Based Effluent Limitations and Total Maximum Daily Loads." The TMDL provisions of the Draft Permit do not impose effluent limitations, rather they tie compliance with the various TMDLs applicable in Northern Riverside County to compliance with the Draft Permit. The City is concerned that by calling the Draft Permit's TMDL provisions "Effluent Limitations" the Regional Board is raising the possibility of Mandatory Minimum Penalties under Water Code section 13385. The City requests that the Draft Permit be revised to remove all references to "Effluent Limitations," and all hard numeric targets, specifically those in the TMDL section. This will ensure that the Regional Board retains the discretion to impose penalties where it has determined they are warranted, without triggering mandatory penalties in situations where fines may not be the best solution.

Incorporation of TMDLs

The City objects to the inclusion of Total Maximum Daily Loads ("TMDLs") for the Middle Santa Ana River, and Canyon Lake and Lake Elsinore in the Draft Permit. It is the City's belief that the goals of both TMDLs can be achieved through implementation of the other programs in the Draft Permit, and overall participation in the TMDL working groups the Regional Board has already established. Incorporation of TMDLs into the Draft Permit will raise costs for the City and potentially expose the City to third party litigation, without necessarily providing a corresponding benefit to water quality. For that reason, the City requests that they be removed.

Both the State Water Resources Control Board, and US EPA have stated on numerous occasions that an iterative, BMP based process should be employed in MS4 permits. For example, in State Board Order WQ 2001-15, the State Board directed the San Diego Regional Board to revise the 2001 San Diego County Large MS4 Permit to make clear that an iterative approach to BMPs is required. While in the appropriate case, the Regional Board may have the discretion to impose TMDLs and other requirements more stringent than the MEP standard in MS4 permits, imposing these requirements exceeds the requirements of federal law, and triggers applicable state law requirements. (*See Defenders of Wildlife v. Browner* (9th Cir. 1999) 191 F.3d 1159, 1166-67; *see also City of Burbank v. State Water Resources Control Bd.* (2005) 35 Cal.4th 613.) Compliance with these requirements is discussed in greater detail below.

Joint and Several Liability for TMDLs

The City is concerned that portions of the Draft Permit's TMDL requirements could be interpreted as holding all of the Permittees responsible for implementing the TMDLs, regardless of whether their discharges impact the entire watershed, or other parties to the TMDL refuse to participate. The County's letter includes suggested language revisions that would prevent any such interpretation. The City has reviewed this language and fully endorses it.

Neither the Federal Clean Water Act, nor the California Porter-Cologne Water Quality Act provide the Regional Board with the authority to use an NPDES permit or WDR to hold the Permittees jointly and severally liable for implementing TMDL requirements. The Clean Water Act's NPDES program requires a discharger to obtain a permit for his or her point source discharges to the Waters of the United States. (*See* 33 U.S.C. §§ 1311; 1342 [requiring permits for the discharge of pollutants by a person from a point source].) The Clean Water Act simply does not require municipal dischargers to implement controls, programs, or cost sharing mechanisms that have nothing to do with the dischargers' activities in a watershed. (*See* 40 C.F.R. §

Large MS4 Permit. By this reference, the City expressly incorporates those comments into this letter, and the Administrative Record.

122.26(d)(2).) Porter Cologne contains similar structural restrictions. (See Water Code § 13260(a) [regulating discharges from “[a]ny person discharging waste, or proposing to discharge waste”].) For that reason, the City requests that the Regional Board revise the Draft Permit’s TMDL provisions to make clear that the Permittees are not jointly and severally liable for implementation of the TMDLs.

Cost Considerations and Compliance with State Law

The Draft Permit will increase costs for the City. Attached is a chart that was filed with the County of San Diego’s Test Claim challenging the 2007 San Diego County Large MS4 Permit as an unfunded state mandate. That chart lists how much each permittee expected to spend on permit related programs alleged to be unfunded state mandates. Similar programs in the Draft Permit have the potential to cost the City millions of dollars. For instance, in San Diego County development of a Hydromodification Management Plan cost the Permittees \$1.5 million over two years. County-wide, costs associated with each of the challenged programs were estimated at over \$66 million in *new* unfunded program costs. Similar costs are likely to be incurred as a result of the Draft Permit.

The Regional Board may have the discretion to impose some of the programs in the Draft Permit, however, imposing requirements more stringent than what is required by the Clean Water Act and its implementing regulations triggers applicable state law requirements. (*See City of Burbank v. State Water Resources Control Bd.* (2005) 35 Cal.4th 613.) For waste discharge requirements that exceed the requirements of federal law, California law requires consideration of, among other things, the economic impacts caused by the new permit. (Cal. Water Code § 13241(d).) In *City of Burbank v. State Water Resources Control Bd.* (2005) 35 Cal.4th 613, the California Supreme Court determined this to mean the “discharger’s cost of compliance.” (*Id.* at 618, 625.) The Draft Permit does not contain estimates of the City’s cost of compliance. Without this information, the Regional Board cannot fully consider the economic costs associated with the Draft Permit.

Lastly, pursuant to Article XIII B, Section 6 of the California Constitution, any NPDES requirements that are not explicitly required by federal law must be funded by the state. (*County of Los Angeles v. Commission on State Mandates* (2007) 150 Cal.App.4th 898, 915-916.) Where, as here, a federal program provides discretion to the State agency to impose a local program on a municipality, such as a TMDL, the municipality is entitled to reimbursement from the state. (*See Hayes v. Commission on State Mandates* (1992) 11 Cal. App.4th 1564, 1570.) Numerous programs in the Draft Permit exceed the requirements of federal law and thus represent state mandates. Pursuant to Article XIII B, Section 6 of the California Constitution, the City is entitled to reimbursement for the cost of implementing these programs.

CONCLUSION

We appreciate your attention to our comments. The City views these comments as part of the ongoing, open dialogue between the Permittees and the Regional Board. The City is committed to the goal of water quality improvement and wants to work with the Regional Board to develop the most prudent and cost effective way of reaching that goal. We look forward to receiving your response to the above comments and concerns. If you have any questions or comments regarding the contents of this letter, or the City’s position on the Draft Permit in general, please do not hesitate to contact me.

Sincerely,



MIKE EMBERTON
Public Works Director
City of San Jacinto

**EXHIBIT 1 – SUMMARY OF MANDATED ACTIVITIES AND
RELATED COSTS**

Co-Permittee Costs: Implementation of Watershed Activities

Copermittee	Fiscal Year Costs
Carlsbad	FY 07-08
\$10,000.00	\$12,000.00
Chula Vista	FY 08-09
\$35,000.00	\$36,500.00
Coronado	FY 09-10
\$3,000.00	\$3,600.00
Del Mar	FY 10-11
\$7,500.00	\$9,500.00
El Cajon	FY 11-12
\$52,002.00	\$10,450.00
Encinitas	FY 04-05
\$3,000.00	\$3,600.00
Escondido	FY 05-06
\$20,000.00	\$24,000.00
Imperial Beach	FY 06-07
\$3,000.00	\$3,600.00
La Mesa	FY 07-08
\$30,000.00	\$30,000.00
Lemon Grove	FY 08-09
\$0.00	\$0.00
National City	FY 09-10
\$199,470.00	\$207,448.80
Oceanside	FY 10-11
\$25,000.00	\$30,000.00
Poway	FY 11-12
\$500.00	\$5,000.00
San Diego	FY 00-01
\$600,000.00	\$660,000.00
San Marcos	FY 01-02
\$10,000.00	\$12,000.00
Santee	FY 02-03
\$4,408.00	\$9,212.00
Solana Beach	FY 03-04
\$1,000.00	\$1,200.00
Vista	FY 04-05
\$10,000.00	\$12,000.00
Inincorporated	FY 05-06
\$40,000.00	\$48,000.00
Airport Authority	FY 06-07
*	*
Port District	FY 07-08
*	*
Program Totals	FY 07-08
\$1,053,880.00	\$1,146,508.80
	FY 08-09
	\$1,270,909.75
	FY 09-10
	\$1,425,120.62
	FY 10-11
	\$1,587,982.79

* Co-Permittee Not Participating in Test Claim

Co-Permittee Costs: WURMP Cost-Share Agreements

Co-Permittee	Fiscal Year Costs				
	FY 07-08	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Carlsbad	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Chula Vista	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Coronado	\$26,000.00	\$27,000.00	\$28,350.00	\$29,768.00	\$31,256.00
Del Mar	\$3,000.00	\$3,150.00	\$3,307.50	\$3,472.88	\$3,646.52
El Cajon	\$2,998.00	\$16,152.00	\$16,960.00	\$17,808.00	\$18,698.00
Encinitas	\$2,800.00	\$3,500.00	\$4,000.00	\$4,500.00	\$5,000.00
Escondido	\$6,125.00	\$10,250.00	\$10,760.00	\$11,300.00	\$11,865.00
Imperial Beach	\$28,000.00	\$29,400.00	\$30,870.00	\$32,414.00	\$34,035.00
La Mesa	\$1,305.00	\$2,000.00	\$2,100.00	\$2,205.00	\$2,315.00
Lemon Grove	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
National City	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Oceanside	\$3,349.00	\$3,482.00	\$3,621.00	\$3,765.00	\$3,915.00
Poway	\$8,000.00	\$4,900.00	\$5,100.00	\$5,300.00	\$5,511.00
San Diego	\$507,346.00	\$532,713.00	\$554,021.00	\$576,183.00	\$599,230.00
San Marcos	\$3,314.00	\$3,479.70	\$3,553.69	\$3,836.37	\$4,028.19
Santee	\$2,437.00	\$4,874.00	\$5,118.00	\$5,374.00	\$5,643.00
Solana Beach	\$12,000.00	\$12,600.00	\$13,230.00	\$13,891.50	\$14,586.08
Vista	\$4,000.00	\$5,600.00	\$6,048.00	\$6,350.00	\$6,668.00
Unincorporated	\$15,000.00	\$25,000.00	\$26,250.00	\$27,563.00	\$28,940.00
Airport Authority	*	*	*	*	*
Port District	*	*	*	*	*
Program Totals	\$599,674.00	\$657,100.70	\$685,039.19	\$713,962.74	\$744,080.78

* Co-Permittee Not Participating in Test Claim

**Co-Permittee Costs: Staffing for Watershed URMMP
Development and Implementation**

Co-permittee	Fiscal Year Costs
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	FY 07-08	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Carlsbad	\$26,962.00	\$27,281.10	\$28,645.10	\$30,077.41	\$39,923.36
Chula Vista	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Coronado	\$396.00	\$2,484.00	\$2,583.00	\$2,687.00	\$2,794.00
Del Mar	\$9,897.50	\$8,917.00	\$9,254.79	\$9,606.09	\$9,971.45
El Cajon	\$34,107.00	\$35,472.00	\$36,890.00	\$38,366.00	\$39,900.00
Encinitas	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Escondido	\$59,280.00	\$59,280.00	\$61,585.00	\$62,890.00	\$64,775.00
Imperial Beach	\$452.00	\$1,584.00	\$1,656.00	\$1,728.00	\$1,800.00
La Mesa	\$44,437.12	\$46,215.00	\$48,064.00	\$49,987.00	\$51,986.00
Lemon Grove	\$1,968.00	\$2,047.00	\$2,129.00	\$2,214.00	\$2,302.00
National City	\$16,716.25	\$22,041.75	\$22,923.42	\$23,840.36	\$24,793.97
Oceanside	\$13,172.00	\$13,698.00	\$14,245.00	\$14,814.00	\$15,406.00
Poway	\$60,900.00	\$65,772.00	\$71,034.00	\$76,716.00	\$82,854.00
San Diego	\$253,652.00	\$308,505.00	\$320,845.00	\$333,679.00	\$347,026.00
San Marcos	\$37,232.00	\$38,721.28	\$40,270.13	\$41,880.94	\$43,556.17
Santee	\$4,408.00	\$4,806.00	\$4,836.00	\$5,078.00	\$5,332.00
Solana Beach	\$10,415.52	\$10,832.14	\$11,265.43	\$11,716.04	\$12,184.69
Vista	\$22,822.80	\$41,102.10	\$42,746.18	\$44,456.03	\$46,234.27
Unincorporated	\$436,394.00	\$713,207.00	\$741,735.28	\$771,404.69	\$802,260.88
Airport Authority	*	*	*	*	*
Port District	*	*	*	*	*
Program Totals	\$1,033,212.19	\$1,401,765.37	\$1,450,707.33	\$1,521,140.56	\$1,593,099.79

* Co-Permittee Not Participating in Test Claim

**Co-Permittee Costs: 13.0 Effectiveness Assessment - Annual
JURMP Assessment and Reporting**

Co-permittee	Fiscal Year Costs
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	FY 07-08	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Carlsbad	\$12,867.45	\$13,356.41	\$13,863.96	\$14,390.79	\$14,937.64
Chula Vista	\$73,112.00	\$152,072.00	\$158,155.00	\$164,481.00	\$171,060.00
Coronado	\$75,000.00	\$18,210.00	\$18,939.00	\$19,636.00	\$20,484.00
Del Mar	\$0.00	\$46,431.00	\$48,288.24	\$50,219.77	\$52,228.56
El Cajon	\$0.00	\$86,729.00	\$90,199.00	\$93,807.00	\$97,559.00
Encinitas	\$0.00	\$32,240.00	\$33,530.00	\$34,871.00	\$36,266.00
Escondido	\$7,638.00	\$6,850.00	\$7,814.00	\$8,939.00	\$10,226.00
Imperial Beach	\$0.00	\$42,900.00	\$44,850.00	\$46,800.00	\$48,750.00
La Mesa	\$79,609.00	\$84,609.68	\$90,993.16	\$97,431.72	\$103,928.60
Lemon Grove	\$0.00	\$39,975.00	\$41,574.00	\$43,237.00	\$44,966.00
National City	\$16,716.25	\$22,041.75	\$22,923.42	\$23,840.36	\$24,793.97
Oceanside	\$3,256.00	\$3,515.00	\$4,255.00	\$4,995.00	\$5,624.00
Poway	\$0.00	\$37,303.00	\$38,795.12	\$40,346.92	\$41,960.80
San Diego	\$35,820.00	\$77,127.00	\$80,212.00	\$83,420.00	\$86,757.00
San Marcos	\$16,250.00	\$17,062.50	\$17,915.63	\$18,811.41	\$19,751.98
Santee	\$51,220.00	\$52,965.00	\$55,086.00	\$56,765.00	\$59,033.00
Solana Beach	\$0.00	\$7,715.20	\$8,023.81	\$8,344.76	\$8,678.55
Vista	\$20,874.75	\$43,416.75	\$45,153.42	\$46,959.56	\$48,837.94
Unincorporated	\$0.00	\$77,794.08	\$80,905.84	\$84,142.08	\$87,507.76
Airport Authority	*	*	*	*	*
Port District	*	*	*	*	*
Program Totals	\$392,368.45	\$862,293.37	\$901,476.59	\$941,498.36	\$963,350.80

* Co-Permittee Not Participating in Test Claim

**Co-Permittee Costs: 10.0 Education - Educational Surveys
and Tests**

Co-Permittee	Fiscal Year Costs
Carlsbad	\$4,850.00
Chula Vista	\$0.00
Coronado	\$2,887.00
Del Mar	\$0.00
El Cajon	\$0.00
Encinitas	\$0.00
Escondido	\$0.00
Imperial Beach	\$0.00
La Mesa	\$0.00
Lemon Grove	\$0.00
National City	\$1,769.78
Oceanside	\$10,656.00
Poway	\$0.00
San Diego	\$14,505.00
San Marcos	\$2,700.00
Santee	\$25,250.00
Solana Beach	\$0.00
Vista	\$0.00
Unincorporated	\$0.00
Airport Authority	*
Port District	*
Program Totals	\$62,617.78
	\$171,319.83
	\$178,241.06
	\$185,420.48
	\$192,857.71

* Co-Permittee Not Participating in Test Claim

CoPermittee Costs: 6.0 Municipal - Conveyance System Cleaning

Copermittee	Fiscal Year Costs
Carlsbad	FY 07-08
	FY 08-09
	FY 09-10
	FY 10-11
	FY 11-12
Chula Vista	\$56,000.00
	\$1,950,755.00
Coronado	\$12,000.00
	\$42,480.00
Del Mar	\$0.00
	\$0.00
El Cajon	\$0.00
	\$269,424.00
Encinitas	\$48,573.20
	\$50,516.13
Escondido	\$221,900.00
	\$188,200.00
Imperial Beach	\$171,200.00
	\$178,048.00
La Mesa	\$0.00
	\$0.00
Lemon Grove	\$14,924.00
	\$15,520.96
National City	\$0.00
	\$0.00
Oceanside	\$351,910.00
	\$360,580.00
Poway	\$365,214.00
	\$376,170.00
San Diego	\$929,200.00
	\$966,368.00
San Marcos	\$104,000.00
	\$108,160.00
Santee	\$0.00
	\$0.00
Solana Beach	\$1,766.88
	\$1,837.56
Vista	\$117,611.85
	\$130,062.60
Unincorporated	\$237,591.55
	\$247,095.21
Airport Authority	*
Port District	*
Program Totals	\$3,456,087.48
	\$4,943,345.46
	\$4,835,848.66
	\$5,154,084.97
	\$5,346,353.46

* Co-Permittee Not Participating in Test Claim

Co-Permittee Costs: 6.0 Municipal - (contract costs)

Co-Permittee	Fiscal Year Costs				
	FY 07-08	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Carlsbad	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Chula Vista	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Coronado	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Del Mar	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
El Cajon	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Encinitas	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Escondido	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Imperial Beach	\$48,000.00	\$49,920.00	\$51,917.00	\$56,070.00	\$58,313.00
La Mesa	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Lemon Grove	\$33,565.00	\$34,907.60	\$36,303.90	\$37,756.06	\$39,266.30
National City	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Oceanside	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Poway	\$221,092.00	\$227,725.00	\$234,557.00	\$241,593.00	\$248,841.00
San Diego	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
San Marcos	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Santee	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Solana Beach	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Vista	\$79,967.52	\$83,166.22	\$86,492.87	\$89,952.58	\$93,550.69
Unincorporated	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Airport Authority	*	*	*	*	*
Port District	\$382,624.52	\$395,718.82	\$409,270.77	\$425,371.64	\$439,970.99
Program Totals					

* Co-Permittee Not Participating in Test Claim

**Co-Permittee Costs: 6.0 Municipal - Street Sweeping
(staff costs)**

Copermittee	Fiscal Year Costs				
	FY 07-08	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Carlsbad	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Chula Vista	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Coronado	\$4,011.00	\$4,171.00	\$4,338.00	\$4,512.00	\$4,692.00
Del Mar	\$14,779.80	\$15,370.99	\$15,985.83	\$16,625.27	\$17,290.28
El Cajon	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Encinitas	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Escondido	\$90,000.00	\$92,700.00	\$95,500.00	\$98,300.00	\$101,000.00
Imperial Beach	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
La Mesa	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Lemon Grove	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
National City	\$1,379.09	\$2,868.51	\$2,983.25	\$3,102.58	\$3,226.68
Oceanside	\$465,000.00	\$484,000.00	\$503,000.00	\$523,000.00	\$544,000.00
Poway	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
San Diego	\$400,000.00	\$416,000.00	\$432,640.00	\$449,945.60	\$467,943.42
San Marcos	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Santee	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Solana Beach	\$2,314.56	\$2,407.14	\$2,503.43	\$2,603.57	\$2,707.71
Vista	\$4,438.20	\$4,615.73	\$4,800.36	\$4,992.37	\$5,192.07
Unincorporated	\$32,398.85	\$127,291.47	\$132,383.13	\$137,678.46	\$143,185.60
Airport Authority	*	*	*	*	*
Port District					
Program Totals	\$1,014,321.50	\$1,149,424.85	\$1,194,134.00	\$1,240,759.84	\$1,289,237.76

* Co-Permittee Not Participating in Test Claim

**Co-Permittee Costs: Municipal- Street Sweeping
(equipment costs)**

Copermittee	Fiscal Year Costs
Carlsbad	\$0.00
Chula Vista	\$0.00
Coronado	\$27,500.00
Del Mar	\$0.00
El Cajon	\$0.00
Encinitas	\$0.00
Escondido	\$0.00
Imperial Beach	\$0.00
La Mesa	\$0.00
Lemon Grove	\$0.00
National City	\$745.46
Oceanside	\$442,000.00
Poway	\$0.00
San Diego	\$1,210,000.00
San Marcos	\$0.00
Santee	\$0.00
Solana Beach	\$0.00
Vista	\$0.00
Unincorporated	\$400,000.00
Airport Authority	*
Port District	*
Program Totals	\$847,480.36
	\$874,279.58
	\$902,430.76
	\$931,947.99

	FY 07-08	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Carlsbad	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Chula Vista	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Coronado	\$27,500.00	\$27,500.00	\$27,500.00	\$27,500.00	\$27,500.00
Del Mar	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
El Cajon	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Encinitas	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Escondido	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Imperial Beach	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
La Mesa	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Lemon Grove	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
National City	\$745.46	\$1,580.36	\$1,643.58	\$1,709.32	\$1,777.70
Oceanside	\$442,000.00	\$460,000.00	\$478,000.00	\$497,000.00	\$517,000.00
Poway	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
San Diego	\$1,210,000.00	\$218,400.00	\$227,136.00	\$236,221.44	\$245,670.30
San Marcos	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Santee	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Solana Beach	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Vista	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Unincorporated	\$400,000.00	\$140,000.00	\$140,000.00	\$140,000.00	\$140,000.00
Airport Authority	*	*	*	*	*
Port District	*	*	*	*	*
Program Totals	\$847,480.36	\$874,279.58	\$902,430.76	\$931,947.99	

* Co-Permittee Not Participating in Test Claim

Co-Permittee Costs - Long-term Effectiveness Assessment

Co-permittee	Fiscal Year Costs				MOU %
	FY 07-08	FY 08-09	FY 09-10	FY 10-11	
Carlsbad	\$0.00	\$0.00	\$0.00	\$6,699.00	\$0.00
Chula Vista	\$0.00	\$0.00	\$0.00	\$11,550.00	\$0.00
Coronado	\$0.00	\$0.00	\$0.00	\$2,184.00	\$0.00
Del Mar	\$0.00	\$0.00	\$0.00	\$1,281.00	\$0.00
El Cajon	\$0.00	\$0.00	\$0.00	\$5,271.00	\$0.00
Encinitas	\$0.00	\$0.00	\$0.00	\$4,410.00	\$0.00
Escondido	\$0.00	\$0.00	\$0.00	\$7,895.00	\$0.00
Imperial Beach	\$0.00	\$0.00	\$0.00	\$2,037.00	\$0.00
La Mesa	\$0.00	\$0.00	\$0.00	\$3,528.00	\$0.00
Lemon Grove	\$0.00	\$0.00	\$0.00	\$2,142.00	\$0.00
National City	\$0.00	\$0.00	\$0.00	\$3,570.00	\$0.00
Oceanside	\$0.00	\$0.00	\$0.00	\$9,912.00	\$0.00
Poway	\$0.00	\$0.00	\$0.00	\$5,397.00	\$0.00
San Diego	\$0.00	\$0.00	\$0.00	\$61,803.00	\$0.00
San Marcos	\$0.00	\$0.00	\$0.00	\$5,208.00	\$0.00
Santee	\$0.00	\$0.00	\$0.00	\$4,116.00	\$0.00
Solana Beach	\$0.00	\$0.00	\$0.00	\$1,772.00	\$0.00
Vista	\$0.00	\$0.00	\$0.00	\$5,502.00	\$0.00
Unincorporated	\$0.00	\$0.00	\$0.00	\$62,454.00	\$0.00
Airport Authority	\$0.00	\$0.00	\$0.00	\$1,575.00	\$0.00
Port District	\$0.00	\$0.00	\$0.00	\$1,743.00	\$0.00
Program Totals	\$0.00	\$0.00	\$0.00	\$210,000.00	\$0.00
					100.0%

** Please note Co-Permittee's Airport Authority and Port District are not participating in the Test Claim.

**Co-Permittee Costs - Low-Impact Development (LID) and Standard Urban
Stormwater Mitigation Plan (SUSMP)**

Co-Permittee	Fiscal Year Costs					MOU %
	FY 07-08	FY 08-09	FY 09-10	FY 10-11	FY 11-12	
Carlsbad	\$1,674.75	\$0.00	\$0.00	\$0.00	\$0.00	3.19%
Chula Vista	\$2,887.50	\$0.00	\$0.00	\$0.00	\$0.00	5.50%
Coronado	\$546.00	\$0.00	\$0.00	\$0.00	\$0.00	1.04%
Del Mar	\$320.25	\$0.00	\$0.00	\$0.00	\$0.00	0.61%
El Cajon	\$1,317.75	\$0.00	\$0.00	\$0.00	\$0.00	2.51%
Encinitas	\$1,102.50	\$0.00	\$0.00	\$0.00	\$0.00	2.10%
Escondido	\$1,974.00	\$0.00	\$0.00	\$0.00	\$0.00	3.76%
Imperial Beach	\$509.25	\$0.00	\$0.00	\$0.00	\$0.00	0.97%
La Mesa	\$882.00	\$0.00	\$0.00	\$0.00	\$0.00	1.68%
Lemon Grove	\$535.50	\$0.00	\$0.00	\$0.00	\$0.00	1.02%
National City	\$892.50	\$0.00	\$0.00	\$0.00	\$0.00	1.70%
Oceanside	\$2,478.00	\$0.00	\$0.00	\$0.00	\$0.00	4.72%
Poway	\$1,349.25	\$0.00	\$0.00	\$0.00	\$0.00	2.57%
San Diego	\$15,450.75	\$0.00	\$0.00	\$0.00	\$0.00	29.43%
San Marcos	\$1,302.00	\$0.00	\$0.00	\$0.00	\$0.00	2.48%
San Ysidro	\$1,029.00	\$0.00	\$0.00	\$0.00	\$0.00	1.96%
Solana Beach	\$430.50	\$0.00	\$0.00	\$0.00	\$0.00	0.82%
Vista	\$1,375.50	\$0.00	\$0.00	\$0.00	\$0.00	2.62%
Unincorporated	\$15,613.50	\$0.00	\$0.00	\$0.00	\$0.00	29.74%
Airport Authority	\$393.75	\$0.00	\$0.00	\$0.00	\$0.00	0.75%
Port District	\$435.75	\$0.00	\$0.00	\$0.00	\$0.00	0.83%
Program Totals	\$52,500.00	\$0.00	\$0.00	\$0.00	\$0.00	100.0%

** Please note Co-Permittee's Airport Authority and Port District are not participating in the Test Claim.

Co-Permittee Costs - HMP Development

Co-permittee	Fiscal Year Costs				MOU %
	FY 07-08	FY 08-09	FY 09-10	FY 10-11	
Carlsbad	\$36,989.70	\$24,659.80	\$0.00	\$0.00	\$0.00
Chula Vista	\$61,809.16	\$17,206.10	\$0.00	\$0.00	5.87%
Coronado	\$3,352.19	\$2,234.79	\$0.00	\$0.00	9.81%
Del Mar	\$3,511.67	\$2,341.12	\$0.00	\$0.00	0.53%
El Cajon	\$5,026.76	\$3,351.17	\$0.00	\$0.00	0.56%
Encinitas	\$9,319.49	\$6,212.99	\$0.00	\$0.00	0.80%
Escondido	\$17,898.32	\$11,932.21	\$0.00	\$0.00	1.48%
Imperial Beach	\$3,418.64	\$2,279.09	\$0.00	\$0.00	2.84%
La Mesa	\$6,614.94	\$4,409.96	\$0.00	\$0.00	0.54%
Lemon Grove	\$3,578.12	\$2,385.42	\$0.00	\$0.00	1.05%
National City	\$6,282.68	\$4,188.45	\$0.00	\$0.00	0.57%
Oceanside	\$22,510.02	\$15,006.68	\$0.00	\$0.00	1.00%
Poway	\$9,498.91	\$6,332.61	\$0.00	\$0.00	3.57%
San Diego	\$131,396.67	\$87,597.78	\$0.00	\$0.00	1.51%
San Marcos	\$33,108.96	\$22,072.64	\$0.00	\$0.00	20.86%
Santee	\$11,133.61	\$7,422.40	\$0.00	\$0.00	5.26%
Solana Beach	\$3,684.45	\$2,456.30	\$0.00	\$0.00	1.77%
Vista	\$11,612.05	\$7,741.37	\$0.00	\$0.00	0.53%
Unincorporated	\$243,233.67	\$162,169.12	\$0.00	\$0.00	1.84%
Airport Authority	\$3,000.00	\$2,000.00	\$0.00	\$0.00	38.61%
Port District	\$3,000.00	\$2,000.00	\$0.00	\$0.00	0.43%
Program Totals	630,000.00	420,000.00	0.00	0.00	100.0%

** Please note Co-Permittee's Airport Authority and Port District are not participating in the Test Claim.

Co-Permittee Costs - Regional Residential Education Program Development and Implementation

Co-permittee	Fiscal Year Costs				MOU %
	FY 07-08	FY 08-09	FY 09-10	FY 10-11	
Carlsbad	\$4,186.88	\$8,373.75	\$16,747.50	\$17,584.88	\$18,464.13 3.19%
Chula Vista	\$7,218.75	\$14,437.50	\$28,875.00	\$30,318.75	\$31,834.72 5.50%
Coronado	\$1,365.00	\$2,730.00	\$5,460.00	\$5,733.00	\$6,019.66 1.04%
Del Mar	\$800.63	\$1,601.25	\$3,202.50	\$3,362.63	\$3,530.76 0.61%
El Cajon	\$3,294.38	\$6,588.75	\$13,177.50	\$13,836.38	\$14,528.21 2.51%
Encinitas	\$2,756.25	\$5,512.50	\$11,025.00	\$11,576.25	\$12,155.07 2.10%
Escondido	\$4,935.00	\$9,870.00	\$19,740.00	\$20,727.00	\$21,763.37 3.76%
Imperial Beach	\$1,273.13	\$2,546.25	\$5,092.50	\$5,347.13	\$5,614.49 0.97%
La Mesa	\$2,205.00	\$4,410.00	\$8,820.00	\$9,261.00	\$9,724.06 1.68%
Lemon Grove	\$1,338.75	\$2,677.50	\$5,355.00	\$5,622.75	\$5,903.89 1.02%
National City	\$2,231.25	\$4,462.50	\$8,925.00	\$9,371.25	\$9,839.82 1.70%
Oceanside	\$6,195.00	\$12,390.00	\$24,780.00	\$26,019.00	\$27,319.97 4.72%
Poway	\$3,373.13	\$6,746.25	\$13,492.50	\$14,167.13	\$14,875.49 2.57%
San Diego	\$38,626.88	\$77,253.75	\$154,507.50	\$162,232.88	\$170,344.67 29.43%
San Marcos	\$3,255.00	\$6,510.00	\$13,020.00	\$13,671.00	\$14,354.56 2.48%
Santee	\$2,572.50	\$5,145.00	\$10,290.00	\$10,804.50	\$11,344.73 1.96%
Solana Beach	\$1,076.25	\$2,152.50	\$4,305.00	\$4,520.25	\$4,746.27 0.82%
Vista	\$3,438.75	\$6,877.50	\$13,755.00	\$14,442.75	\$15,164.90 2.62%
Unincorporated	\$39,033.75	\$78,067.50	\$156,135.00	\$163,941.75	\$172,138.99 29.74%
Airport Authority	\$984.38	\$1,968.75	\$3,937.50	\$4,134.38	\$4,341.10 0.75%
Port District	\$1,089.38	\$2,178.75	\$4,357.50	\$4,575.38	\$4,804.15 0.83%
Program Totals	\$131,250.00	\$262,500.00	\$525,000.00	\$551,250.00	\$578,813.00 100.0%

** Please note Co-Permittee's Airport Authority and Port District are not participating in the Test Claim.

Co-Permittee Costs: Working Body Participation

Co-permittee	Fiscal Year Costs				
	FY 07-08	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Carlsbad	\$45,973.20	\$47,720.18	\$32,593.54	\$33,832.10	\$35,117.72
Chula Vista	\$9,648.00	\$11,357.00	\$7,606.00	\$7,910.00	\$8,226.00
Coronado	\$10,186.00	\$11,678.00	\$11,755.00	\$12,225.00	\$12,714.00
Del Mar	\$14,640.12	\$16,084.22	\$16,655.10	\$17,248.81	\$17,866.27
El Cajon	\$14,958.57	\$21,430.97	\$19,364.64	\$20,139.23	\$20,944.80
Encinitas	\$13,806.00	\$16,339.00	\$14,060.00	\$14,622.00	\$15,207.00
Escondido	\$1,710.00	\$4,560.00	\$4,700.00	\$4,840.00	\$4,980.00
Imperial Beach	\$4,536.00	\$4,980.00	\$4,968.00	\$5,167.00	\$5,373.00
La Mesa	\$3,304.00	\$4,769.00	\$4,960.00	\$5,158.00	\$5,364.00
Lemon Grove	\$4,428.00	\$4,861.00	\$4,968.00	\$5,167.00	\$5,373.00
National City	\$14,345.40	\$10,208.64	\$10,616.99	\$11,041.67	\$11,483.33
Oceanside	\$10,620.00	\$13,578.00	\$11,798.00	\$12,270.00	\$12,761.00
Poway	\$8,097.00	\$14,650.00	\$13,128.00	\$13,653.00	\$14,199.00
San Diego	\$26,391.00	\$37,636.56	\$39,142.02	\$40,707.70	\$42,336.01
San Marcos	\$23,094.00	\$25,097.00	\$26,101.00	\$27,145.00	\$28,231.00
Santee	\$17,701.00	\$18,866.00	\$15,490.00	\$16,110.00	\$16,754.00
Solana Beach	\$5,786.00	\$6,017.44	\$6,258.14	\$6,508.46	\$6,768.80
Vista	\$4,818.00	\$10,309.85	\$7,872.01	\$11,264.25	\$8,514.37
Unincorporated	\$25,989.00	\$32,862.00	\$28,342.00	\$29,475.00	\$30,654.00
Airport Authority	*	*	*	*	*
Port District	*	*	*	*	*
Program Totals	\$260,031.29	\$313,004.86	\$280,378.44	\$294,484.22	\$267,749.58

* Co-Permittee Not Participating in Test Claim

Co-Permittee Costs - Working Body Support

Co-Permittee	Fiscal Year Costs				MOU %
	FY 07-08	FY 08-09	FY 09-10	FY 10-11	
Carlsbad	\$0.00	\$17,333.66	\$18,200.35	\$19,110.36	\$20,065.87 3.19%
Chula Vista	\$0.00	\$29,885.63	\$31,379.92	\$32,948.91	\$34,596.32 5.50%
Coronado	\$0.00	\$5,651.10	\$5,933.66	\$6,250.34	\$6,541.85 1.04%
Del Mar	\$0.00	\$3,374.59	\$3,480.32	\$3,654.33	\$3,837.05 0.61%
El Cajon	\$0.00	\$13,638.71	\$14,320.65	\$15,036.68	\$15,788.50 2.51%
Encinitas	\$0.00	\$11,410.88	\$11,981.42	\$12,580.49	\$13,209.50 2.10%
Escondido	\$0.00	\$20,430.90	\$21,452.45	\$22,525.07	\$23,651.30 3.76%
Imperial Beach	\$0.00	\$5,270.74	\$5,534.28	\$5,810.99	\$6,101.53 0.97%
La Mesa	\$0.00	\$9,128.70	\$9,385.14	\$10,064.39	\$10,567.60 1.68%
Lemon Grove	\$0.00	\$5,352.43	\$5,819.55	\$6,110.52	\$6,416.04 1.02%
National City	\$0.00	\$9,237.38	\$9,669.25	\$10,184.21	\$10,693.41 1.70%
Oceanside	\$0.00	\$25,647.30	\$26,929.63	\$28,276.15	\$29,689.93 4.72%
Poway	\$0.00	\$13,964.74	\$14,662.98	\$15,396.12	\$16,165.92 2.57%
San Diego	\$0.00	\$159,915.26	\$167,911.10	\$176,306.60	\$185,121.76 29.43%
San Marcos	\$0.00	\$13,475.70	\$14,149.49	\$14,836.96	\$15,599.30 2.48%
Santee	\$0.00	\$10,650.15	\$11,182.66	\$11,741.79	\$12,328.87 1.96%
Solana Beach	\$0.00	\$4,455.68	\$4,678.46	\$4,912.38	\$5,158.00 0.82%
Vista	\$0.00	\$14,236.43	\$14,948.25	\$15,635.65	\$16,480.43 2.62%
Unincorporated	\$0.00	\$161,599.73	\$169,679.79	\$178,163.72	\$187,071.74 29.74%
Airport Authority	\$0.00	\$4,075.31	\$4,279.08	\$4,493.03	\$4,717.68 0.75%
Port District	\$0.00	\$4,510.01	\$4,735.52	\$4,972.29	\$5,220.90 0.83%
Program Totals	\$0.00	\$543,375.00	\$570,544.00	\$599,071.00	\$629,024.00 100.0%

** Please note Co-Permittee's Airport Authority and Port District are not participating in the Test Claim.

Copermittee	Total Fiscal Year Costs for Each Co-Permittee				
	FY 07-08	FY 08-09	FY 09-10	FY 10-11	FY 11-12
Carlsbad	\$199,503.98	\$208,852.90	\$184,787.31	\$201,604.20	\$214,254.30
Chula Vista	\$1,013,871.41	\$2,236,213.23	\$1,998,331.92	\$2,082,497.66	\$2,146,437.04
Coronado	\$166,243.19	\$148,092.79	\$153,669.00	\$159,746.00	\$166,219.66
Del Mar	\$54,449.97	\$119,190.17	\$123,603.48	\$130,464.14	\$135,053.69
El Cajon	\$113,704.46	\$515,394.60	\$544,812.79	\$595,862.29	\$629,236.51
Encinitas	\$81,357.44	\$129,331.50	\$131,453.19	\$142,381.98	\$144,883.57
Escondido	\$431,460.32	\$428,053.11	\$444,651.45	\$472,177.07	\$486,030.67
Imperial Beach	\$260,389.02	\$327,929.34	\$342,091.42	\$361,147.85	\$374,786.28
La Mesa	\$168,357.06	\$197,078.34	\$212,520.02	\$233,312.75	\$248,701.58
Lemon Grove	\$60,337.37	\$114,182.48	\$118,751.70	\$125,698.28	\$128,552.16
National City	\$260,548.65	\$289,599.85	\$301,204.23	\$317,008.64	\$326,171.74
Oceanside	\$1,356,146.02	\$1,432,978.98	\$1,483,750.68	\$1,698,237.15	\$1,764,020.90
Poway	\$681,174.29	\$761,839.60	\$787,632.64	\$822,392.50	\$847,784.27
San Diego	\$4,162,388.30	\$3,556,601.35	\$3,723,125.34	\$3,980,638.85	\$4,126,890.74
San Marcos	\$234,255.96	\$249,386.82	\$244,916.65	\$262,712.66	\$271,081.61
Santee	\$120,159.11	\$139,999.55	\$138,985.66	\$148,550.29	\$150,712.60
Solana Beach	\$38,474.16	\$52,426.04	\$59,031.39	\$58,654.80	\$50,992.16
Vista	\$280,959.42	\$364,128.55	\$376,681.19	\$402,978.91	\$413,305.40
Unincorporated	\$1,485,274	\$1,835,181	\$1,812,989	\$1,955,099	\$1,977,506
Airport Authority	*	*	*	*	*
Port District	*	*	*	*	\$0.00
Program Totals	\$11,169,054.45	\$13,106,460.68	\$13,182,989.32	\$14,151,165.24	\$14,602,620.61
					\$66,212,290.30

* -Co-Permittee Not Participating in Test Claim